JUL 0 6 2007

07:69:07



PTO/SB/21 (09-06)

	Approved for use through 03/31/2007.	OMB 0651-0031
211	Patent and Trademark Office: ILS DEPARTMENT	OF COMMERCE

nder the Paperwork Reduction Act of 1995, no persons are required to	Application Number	10/535,559-Conf. #7699
TRANSMITTAL	Filing Date	January 4, 2006
FORM	First Named Inventor	Paul Sabin
	Art Unit	1745
(to be used for all correspondence after initial filing)	Examiner Name	Thomas H. Parsons
Total Number of Pages in This Submission	Attorney Docket Number	58399(47171)

ENCLOSURES (Check all that apply)						
Fee Transr	mittal Form	Drawing(s)		After Allowance Communication to TC		
Fee A	Attached	Licensing-related Papers		Appeal Communication to Board of Appeals and Interferences		
Amendmer	nt/Reply	Petition		Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)		
After	Final	Petition to Convert to a Provisional Application		Proprietary Information		
Affida	avits/declaration(s)	Power of Attorney, Revocate Change of Correspondence	ion Address	Status Letter		
Extension of	of Time Request	Terminal Disclaimer		X Other Enclosure(s) (please Identify below):		
Express At	pandonment Request	Request for Refund		Return Receipt Postcard		
x Information	Disclosure Statement	CD, Number of CD(s)				
Certified Conduction Document(	opy of Priority s)	Landscape Table on	CD			
	issing Parts/ Application	Remarks				
	y to Missing Parts under FR 1.52 or 1.53					
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT						
Firm Name	EDWARDS ANGELL PALMER & DODGE LLP					
Signature	Chirch					
Printed name	Christine C. O'Day					
Date	July 6, 2007		Reg. No.	38,256		

I hereby certify that this paper (ald Express Mail, Label No. EM 054 3	g with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service 8 345 US, on the gate shown below in an envelope addressed to:	e as
MS Amendment, Commissioner for	Patents, P.O. 1831/1450, Alexandria, VA 22313-1450.	
·	allegal hally In ICa	
Dated: July 6, 2007	Patents, P.O. 1997/1450, Alexandria, VA 22313-1450. Signature: Charles (Charles)	
, -,	The state of the s	



I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service as Express Mail, Label No. EM 054 388 345 US, on the date shown below in an envelope addressed to: MS Amendment, Commission of Patents, P.O. Box 1450,

Alexandria, VA 22313-1450.

Dated: July 6, 2007

Signature. Signature Signature

Docket No.: 58399(47171)

Confirmation No.: 7699

(PATENT)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Paul Sabin et al.

Application No.: 10/535,559

006 Art Unit: 1745

Filed: January 4, 2006

For: MEMBRANE BASED Examiner: Thomas H. Parsons

ELECTROCHEMICAL CELL STACKS

## SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (IDS)

MS Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Supplemental Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned (37 CFR 1.97(b)(3)).

Copies of the U.S. references on the PTO/SB/08 marked by \*\* are not provided since they are not required. Additionally, a copy of foreign reference BA is not included since it was submitted with the Supplemental IDS filed on January 4, 2006. It also is noted that the other references cited on Supplemental IDS filed on January 4, 2006, are reproduced on the attached PTO/SB/08 as a precaution, as it was noted that

Application No.: 10/535,559 2 Docket No.: 58399(47171)

the respective publication dates were not included in the submission of January 4, 2004.

Additionally enclosed is a copy of the International Preliminary Examination Report for priority international application PCT/US03/37127, dated November 22, 2004.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 04-1105, under Order No. 58399(47171). A duplicate copy of this paper is enclosed.

Dated: July 6, 2007

Respectfully submitted,

Christine C. O'Day

Registration No.: 38,256

EDWARDS ANGELL PALMER & DODGE LLP

P.O. Box 55874

Boston, Massachusetts 02205

(617) 517-5517

Attorneys/Agents For Applicant



PTO/SB/08A/B (09-06)
Approved for use through 03/31/2007. OMB 0651-0031
S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO				Complete if Known		
				Application Number	10/535,559-Conf. #7699	
11	NFORMATION	I DIS	SCLOSURE	Filing Date	January 4, 2006	
l s	TATEMENT E	BY A	APPLICANT	First Named Inventor	Paul Sabin	
				Art Unit	<del>1745</del> 1795	
	(Use as many sh	eets as	necessary)	Examiner Name	Thomas H. Parsons	
Sheet	Sheet 1 of 1		Attorney Docket Number	58399(47171)		

	U.S. PATENT DOCUMENTS					
Examiner	Cite	Document Number	Publication Date	Name of Patentee or	Pages, Columns, Lines, Where	
Initials*	No.1	Number-Kind Code <sup>2</sup> ( if known)	MM-DD-YYYY	Applicant of Cited Document	Relevant Passages or Relevant Figures Appear	
71.9.7	AA**	US-2003/0096153 A1	05-22-2003	Osenar et al.		
71.P.7 /T.P./	AB**	US-2002/0045084 A1	04-18-2002	Fuji et al.		
<del>/T.P./</del>	AC**	US-2001/0019791 A1	09-06-2001	Gooch et al.		
71.7.7	AD**	US-2002/0031698 A1	03-14-2002	Inoue et al.		
/T.P./	AE**	US-6,602,632 B2	08-05-2003	Wakahoi et al.		
/T.P./	AF**	US-6,596,427 B1	07-22-2003	Wozniczka et al.		
71.P./	AG**	US-6,946,210	06-06-2002	Osenar et al.		
71.67	AH**	US 2005-0244703	11-13-2005	Osenar et al.		
W80009180009180000	20000000000000000000000000000000000000	000450000450000450000044		Osenar et al.	**************************************	
		***************************************	00000000000000000000000000000000000000	30003550000000000000000000000000000000		
		***************************************	005/200005/5/200005/200005/5/00005/5/	00000000000000000000000000000000000000		
	25700002320000	20000100001000001200001100001100			90000000000000000000000000000000000000	

FOREIGN PATENT DOCUMENTS						
Examiner	Cite	Foreign Patent Document	Publication	Name of Patentee or	Pages, Columns, Lines,	
Initials*	No.1	Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)	Date MM-DD-YYYY	Applicant of Cited Document	Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
/T.P./	BA**	EP-1302996 A2	04-16-2003	Kobayashi et al.		П
/T.P./	BB	WO-2002/043173	05/2002	Protonex Technology Corp.		
/T.P.7	ВС	WO-2003/036747	05/2003	Protonex Technology Corp.		
71.P./	BD	WO-2003/092096	11/2003	Protonex Technology Corp.		
/T.P./	BE	WO-2004/027896	01/2004	Protonex Technology Corp.		
/1.6./	BF	WO-1996/020509	07/1996	Ballard Power Systems Inc.		$\Box$

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. \* CITE NO.: Those application(s) which are marked with an single asterisk (\*) next to the Cite No. are not supplied (under 37 CFR 1.98(a)(2)(iii)) because that application was filed after June 30, 2003 or is available in the IFW. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at <a href="https://www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²
***************************************	***********		

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Examiner	/Thomas Parsons/	Date	04/16/2008
Signature	/ momas raroons/	Considered	

<sup>&</sup>lt;sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

Application No. (if known): 10/535,559

Attorney Docket No.: 58399(47171)

## **Certificate of Express Mailing Under 37 CFR 1.10**

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. EM 054 388 345 US in an envelope addressed to:

MS Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

July 6, 2007 Date

Elma læth	Sunkle
Signature	300,000
Elisabeth Dun	kle
Typed or printed name of perso	n signing Certificate
	(617) 439-4444
Registration Number, if applicable	Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Transmittal (1 page)

Supplemental Information Disclosure Statement (2 pages) IDS (Citation) by Applicant (14 References cited) (1 page) Copy of International Preliminary Examination Report (4 pages)